

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<b>In re:</b>	:	
	:	<b>Case No.: 18-14001</b>
<b>Christina Santiago</b>	:	<b>Chapter 13</b>
	:	<b>Judge Jean K. FitzSimon</b>
<b>Debtor(s)</b>	:	<b>*****</b>
	:	
<b>MidFirst Bank</b>	:	<b>Date and Time of Hearing</b>
	:	<b>Place of Hearing</b>
<b>vs</b>	:	<b>February 12, 2020 at 9:30 a.m.</b>
	:	
<b>Christina Santiago</b>	:	<b>U.S. Bankruptcy Court</b>
	:	<b>900 Market Street, Courtroom #3</b>
<b>Scott F. Waterman (Chapter 13)</b>	:	<b>Philadelphia, PA, 19107</b>
<b>Respondents.</b>	:	

**MOTION FOR RELIEF FROM THE AUTOMATIC STAY TO PERMIT MIDFIRST  
BANK TO FORECLOSE ON 648 OSBORNE AVENUE, MORRISVILLE, PA 19067**

MidFirst Bank (the "Creditor") moves this Court, under Bankruptcy Code §§ 361, 362, 363, and other sections of Title 11 of the United States Code, and under Federal Rules of Bankruptcy Procedure 4001 and 6007 for an order conditioning, modifying, or dissolving the automatic stay imposed by Bankruptcy Code § 362 and avers as follows:

1. This is an action arising pursuant to a case under Title 11 of the United States Code.
2. Creditor is a lending institution duly authorized to conduct business in the Commonwealth of Pennsylvania.
3. Creditor is a party-in-interest in the above referenced Bankruptcy matter as it is a secured creditor of the Debtor.
4. Christina Santiago ("Debtor") filed a voluntary petition for relief under Chapter 13 of the Bankruptcy Code on June 15, 2018, ("Petition").

5. Christina M Santiago is currently obligated to MidFirst Bank, under the terms of a certain Note, dated February 19, 2014, in the original principal amount of \$127,543.00 executed by Christina M Santiago (hereinafter "Note").

6. As security for repayment of the Note, Debtor executed a certain Mortgage, dated of even date and of even amount, currently in favor of MidFirst Bank, with respect to certain real property owned by the Debtor located at 648 Osborne Avenue, Morrisville, PA 19067 (hereinafter "Mortgaged Premises") and being recorded in Bucks County Recordings Office at Instrument Number 2014008416 on February 20, 2014 in the Office of the Recorder of Deeds in and for Bucks County, Pennsylvania ("Mortgage").

7. The loan was modified per the terms of the Loan Modification Agreement (Mortgage) attached here as Exhibit A.

8. Debtor has failed to make post-petition mortgage payments for the past 3 months, as of January 2, 2020.

9. Due to said failure by Debtor to make payments when due, Creditor lacks adequate protection of its security interest in the Mortgaged Premises.

10. The total loan balance and the amount past due to MidFirst Bank in post-petition arrearages less suspense are \$125,338.50 and \$2,841.76, respectively, as of January 2, 2020.

11. The automatic stay of Section 362 of the Bankruptcy Code should be terminated with respect to the interest of MidFirst Bank in the Mortgaged Premises, pursuant to Section 362(d)(1).

WHEREFORE, MidFirst Bank respectfully requests this Honorable Court to enter an order terminating the Automatic Stay as it affects the interest of MidFirst Bank in the Mortgaged

Premises of the Debtor specifically identified in the Mortgage, and granting such other relief as this Honorable Court may deem just.

Respectfully submitted,

/s/ Karina Velter

Karina Velter, Esquire (94781)

Adam B. Hall (323867)

Sarah E. Barngrover (323972)

Manley Deas Kochalski LLC

P.O. Box 165028

Columbus, OH 43216-5028

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Attorneys for Creditor

The case attorney for this file is Karina Velter.

Contact email is [kvelter@manleydeas.com](mailto:kvelter@manleydeas.com)

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<b>Respondents.</b>	:	

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a copy of the foregoing Motion for Relief from the Automatic Stay to permit MidFirst Bank to foreclose on 648 Osborne Avenue, Morrisville, PA 19067 was served on the parties listed below via e-mail notification:

Office of U.S. Trustee, Party of Interest, (Registered address)@usdoj.gov

Scott F. Waterman (Chapter 13), Chapter 13 Trustee, Chapter 13 Trustee, 2901 St. Lawrence Ave., Suite 100, Reading, PA 19606

Brad J. Sadek, Attorney for Christina Santiago, Sadek and Cooper, 1315 Walnut Street, Suite 502, Philadelphia, PA 19107, brad@sadeklaw.com

The below listed parties were served via regular U.S. Mail, postage prepaid, on January 23, 2020:

Christina Santiago, 648 Osborne Avenue, Morrisville, PA 19067

Christina M Santiago, 648 Osborne Avenue, Morrisville, PA 19067

DATE: January 23, 2020

/s/ Karina Velter

Karina Velter, Esquire (94781)

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